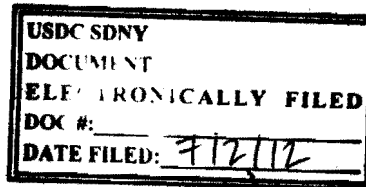


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

-v-

\$204,975.00 IN UNITED STATES  
CURRENCY,

Defendant-in-rem.

GEORGIA ANDERSON,  
WAYNE ANDERSON,  
COURTNEY BARTLEY,  
AGNES GREEN,  
ROHAN GREEN, and  
UGENE ROBINSON,

Claimants.

10 Civ. 4142 (PAE)

AMENDED  
STIPULATION AND ORDER

WHEREAS, the United States of America, by and through its counsel, Preet Bharara, United States Attorney for the Southern District of New York, Kan M. Nawaday, Assistant United States Attorney, of counsel, commenced the instant action by filing a Verified Complaint on or about May 19, 2010, seeking the forfeiture of \$204,975 in United States currency (the "Defendant Currency"), on the grounds that, the Defendant Currency constitutes proceeds traceable to monies intended to be furnished in exchange for a controlled substance in violation of Title 21 of the United States Code;

WHEREAS, on or about October 27, 2010, Georgia Anderson, Wayne Anderson, Courtney Bartley, Agnes Green, Rohan Green, and Eugene Robinson (the "Claimants") filed an answer to the Government's Verified Complaint asserting an ownership interest in the Defendant Currency;

WHEREAS, on or about November 26, 2010, the Claimants filed individual claims asserting their respective individual ownership interests in the Defendant Currency; and

WHEREAS, the United States Attorney's Office for the Southern District of New York (the "USAO") and the Claimants, in order to avoid further litigation, have determined to resolve the Claimants' alleged claims to the Defendant Currency on the terms and conditions set forth in the Stipulation and Order entered by this Court on June 21, 2012 (the "June 21, 2012 Stipulation"), and attached hereto as Exhibit A and fully incorporated by reference;

WHEREAS, after the entry of the June 21, 2012 Stipulation it was discovered that there is a typographical error in paragraph number 1 regarding the amount of the Defendant Currency which is to be forfeited to the United States;

WHEREAS, the Claimants and the USAO agree that the correct amount of the Defendant Currency to be forfeited to the United States is \$61,492.50.

IT IS HEREBY STIPULATED, AGREED AND ORDERED AS FOLLOWS:

1. The Claimants agree that \$61,492.50 of the Defendant Currency (the "Forfeited Funds") shall be forfeited to the United States for disposition according to law pursuant to Title 21, United States Code, Section 881(a)(6). The Forfeited Funds shall be and are hereby forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6).

2. The balance of the Defendant Currency, consisting of \$143,482.50, shall be returned to the Claimants, through an electronic transfer issued by the United States Marshals Service ("USMS") to the Claimants' counsel's attorney bank account designated on the ACH Vendor/Miscellaneous Payment Enrollment Form to be completed by Claimants' counsel.

3. The Claimants hereby withdraw their claims and/or petition for remission. Furthermore, the parties hereby waive all rights to appeal or to otherwise challenge or contest the validity of this Stipulation and Order.

4. The Claimants are hereby barred from asserting any claim against the United States of America ("USA"), the Department of Justice ("DOJ"), the U.S. Attorney's Office for the Southern District of New York ("SDNY-USAO"), the USMS, the Drug Enforcement Administration ("DEA"), the Westchester County Police Department ("WCPD"), the Transportation Security Administration ("TSA"), the Department of Homeland Security ("DHS"), or any

agents and employees of the USA, the DOJ, the SDNY-USAO, the USMS, the DEA, the WCPD, the TSA or the DHS, and are further barred from assisting others in asserting any such claim, in connection with the seizure and/or possession of the Defendant Currency.

5. The Claimants represent that collectively, they are the sole owners of the Defendant Currency and further agree to hold harmless the USA, the DOJ, the SDNY-USAO, the USMS, the DEA, the WCPD, the TSA and the DHS, as well as any and all employees, officers, and agents of the USA, the DOJ, the SDNY-USAO, the USMS, the DEA, the WCPD, the TSA and the DHS from any and all claims arising from any acts, incidents, or occurrences in connection with the seizure and/or possession of the Defendant Currency, including but not limited to any third-party claims of ownership of the Defendant Currency.

6. This Stipulation and Order shall in no way be deemed an admission of culpability, liability, or guilt on behalf of the Claimants, or of the plaintiff United States or any of their respective agents, officers or employees, past and present. Further, this Stipulation and Order shall in no way constitute any reflection upon the merits of the claims and defenses asserted respectively by the United States and the Claimants.

7. Each party shall bear its own costs and attorney's fees.

8. This Stipulation and Order represents the complete agreement between the parties and cannot be amended without the written consent of all parties.

9. The individual signing this Stipulation and Order on behalf of the Claimants warrants and represents that he is authorized to sign for each Claimant and that he has discussed the contents of this Stipulation and Order with each Claimant.


10. The signature page of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. Faxed, emailed and scanned copies shall be treated as originals.

*The Clerk of Court is directed to terminate this case.*

AGREED AND CONSENTED TO:

PREET BHARARA  
United States Attorney for  
the Southern District of New York  
Attorney for Plaintiff


By:

  
KAN M. NAWADAY  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, New York 10007  
(212) 637-2311

6/29/12  
DATE

GEORGIA ANDERSON,  
WAYNE ANDERSON,  
COURTNEY BARTLEY,  
AGNES GREEN,  
ROHAN GREEN, and  
UGENE ROBINSON,  
Claimants.

By:

  
WILLIAM T. MARTIN, ESQ.  
Attorney for all Claimants  
945 East 226 Street  
Bronx, New York 10466  
(347) 843-8655

6/28/12  
DATE

SO ORDERED:

*Paul A. Engelmayer 7/2/2012*

HONORABLE PAUL A. ENGELMAYER  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF NEW YORK